

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WHITNEY SPICHER,

Plaintiff,

v.

AMERICAN FAMILY MUTUAL
INSURANCE COMPANY, S.I. and
JOHN and JANE DOES 1-10,

Defendants.

CASE NO. C22-1116 MJP

ORDER GRANTING
STIPULATED MOTION TO
CONTINUE

This matter comes before the Court on the Parties' Stipulated Motion to Continue Expert Deadline. (Dkt. No. 16.) Having reviewed the Motion and all supporting materials, the Court GRANTS the Motion.

Rule 16(b)(4) states that "a schedule may be modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). "Rule 16(b)'s 'good cause' standard primarily considers the diligence of the party seeking the amendment." Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992). "[T]he focus of the inquiry is upon the moving party's

1 reasons for seeking modification” and “[i]f that party was not diligent, the inquiry should end.”
2 Id. (citation omitted).

3 The Parties wish to extend the expert deadline from April 3, 2023 to June 2, 2023, which
4 is the current discovery deadline. (Mot. at 2; Dkt. No. 12 (Scheduling Order).) The Parties
5 explain that Plaintiff’s husband is terminally ill with cancer and Plaintiff has limited time and
6 energy to assist in speaking with experts and her attorneys to develop the facts of this case. (Id.)
7 Plaintiff explains that a delay of 60 days will enable her, her experts, doctors, and attorneys to
8 develop her case without unduly infringing on the time she has available to spend with her
9 husband. (Id.) In addition, Defendant claims that it must seek additional records and an
10 independent medical examination of Plaintiff, all of which will require more time. (Id. at 3.) The
11 Parties have shown good cause to extend the expert discovery deadline. The Parties have been
12 diligent and their requested extension derives from forces beyond either party’s control. The
13 Court therefore GRANTS the Motion and extends the expert deadline to June 2, 2023.

14 The clerk is ordered to provide copies of this order to all counsel.

15 Dated March 2, 2023.

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17 Marsha J. Pechman
18 United States Senior District Judge
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